

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

The patentability of the subject matter of Claim 11 is noted with appreciation. This patentable subject matter has been incorporated into Claim 9, and Claims 10-11 have been cancelled, as has Claim 18.

Claims 16-17 have been amended to recite that the complementary member moves in the vertical direction when the adjuster member is horizontally moved in the transfer direction. Basis for this is found on page 13. New Claim 19 recites the joint surfaces which are inclined by 45 degrees. Basis for this is found in original Claim 5.

Claims 16 and 17 were newly rejected under 35 U.S.C. § 102 as being anticipated by Kane. This rejection is respectfully traversed, particularly in view of the presently amended claims.

Claim 16 recites a method of stretching a transfer conveyer for a transferred article, including a step of providing a complementary member which is provided with a complementary guide surface for guiding both side surfaces of the transferred article, the complementary guide surface being a flat surface even with a guide surface, to be movable in a complementary direction *intersecting with the transfer direction*, with the guide surface and the complementary guide surface defining a continuous and even flat surface, and a step of joining an adjuster member and the complementary member at respective joint surfaces *which are inclined relative to the transfer direction and the complementary direction*, so that the complementary member is moved in the vertical direction when the adjuster member is horizontally moved in the transfer direction. Claim 17 recites a complementary member

inserted into a space which is made between the guide surface of the guide rail and the adjuster guide surface of the adjuster member when the adjuster member is moved in the moving direction, and provided with a complementary guide surface for forming a stretchable guide surface together with the adjuster guide surface, and a mechanism for moving the complementary member in the vertical direction when the adjuster member is horizontally moved in the transfer direction. For example, in the non-limiting embodiments described in the specification, a complementary member 22 has a complementary guide surface 26 that is able to keep the overall guide surface even and continuous as the adjuster member 14 is moved in the conveying direction, by being mounted to move vertically due to the slanted joint surfaces 16 and 24.

Kane is relevant to the claims insofar as it discloses an adjustable conveyor having a pair of rails 40 whose position in the transfer direction can be adjusted, support belts 45 carried by belt beds 46 mounted to the rails, and caps 44 which provide guide surfaces for boards carried by the belts (Fig. 5). However Kane is otherwise completely different from the invention.

According to Kane, after the positions of a rail 40 in the transfer direction is adjusted by loosening and then tightening fasteners, belt bed 46 and tensioner plate 38 are moved to the desired location along the length of extruded rail 40. Additionally, a new guide cap 44 is cut to length (col. 5, lines 11-15) and affixed to the rail 40 by friction or a snap fit (col. 4, lines 43-67). That is, according to Kane the “guide surfaces” are simply replaced by newly recut members (caps 44) each time the length or position of the transfer conveyor is to be changed by repositioning the rails 40. No element is moved in a direction inclined or vertical to the transfer direction during the stretching of the conveyor. Kane thus discloses a complex

and wasteful process, in contrast to the claimed invention which provides a complementary member to maintain continuity for the existing guide surface.

There is no teaching in Kane of a complementary member movable in a complementary direction intersecting with the transfer direction, nor are an adjuster member and a complementary member joined in Kane at respective joint surfaces *which are inclined relative to the transfer direction* to define a continuous and even flat surface. Nor does Kane teach moving the non-existent complementary member in a vertical direction when the adjuster member is horizontally moved in the transfer direction. Thus Claim 16 clearly defines over this reference.

Similarly, with respect to Claim 17, Kane fails to teach a complementary member insertable inserted into a space which is made between the guide surface of the guide rail and the adjuster guide surface of the adjuster member when the adjuster member is moved in the moving direction, and provided with a complementary guide surface for forming a stretchable guide surface together with the adjuster guide surface, and a mechanism for moving the complementary member in the vertical direction when the adjuster member is horizontally moved in the transfer direction. Thus Claim 17 also defines over this reference.

New Claim 19 further recites the joint surfaces which are inclined by 45 degrees relative to the transfer direction. As already explained, no such inclined joint surfaces are provided in Kane. For this reason as well, Claim 19 defines over this reference.

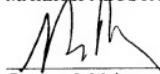
The rejection of Claim 12 under 35 U.S.C. § 103 as being obvious over Kane in view of U.S. patent 6,629,595 (Wiese et al) is believed to be moot in view of the incorporation of allowable Claim 11 into Claim 9 from which Claim 12 depends.

Application No. 10/552,576
Reply to Office Action of December 28, 2007

Applicant therefore believes that the present application is in a condition for allowance and respectfully solicits an early notice of allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Robert T. Pous
Registration No. 29,099
Attorneys of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)
RTP/rac